

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT VAN CLEAVE,

Petitioner,

Civil Action No.  
07-CV-11899

vs.

JEFF WHITE,

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Respondent.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION, DENYING PETITIONER'S APPLICATION FOR WRIT OF  
HABEAS CORPUS, AND DENYING A CERTIFICATE OF APPEALABILITY**

On December 7, 2009, Magistrate Judge Paul J. Komives issued a Report and Recommendation ("R&R") in which he recommends that Petitioner's Application for Writ of Habeas Corpus be denied and that a certificate of appealability be denied.

No objections have been filed and the time to do so has expired. The Court has had an opportunity to fully review this matter and finds that Magistrate Judge Komives has reached the proper conclusions for the proper reasons. Accordingly,

IT IS ORDERED that Magistrate Judge Komives' R&R dated December 7, 2009, is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Petitioner's Application for Writ of Habeas Corpus is denied.

IT IS FURTHER ORDERED that a certification of appealability is denied.

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: December 29, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on December 29, 2009.

S/Denise Goodine  
Case Manager